

April 23, 2025

The Honorable Joseph Tiseo
Chairman, Charlotte County
Board of County Commissioners
18500 Murdock Circle
Port Charlotte, Florida 33948

Dear Chairman Tiseo,

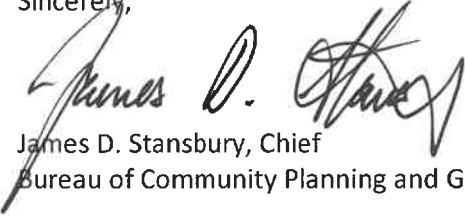
FloridaCommerce has reviewed the proposed comprehensive plan amendment for Charlotte County (Amendment No. 25-02ESR) received on March 26, 2025. The review was completed under the expedited state review process. FloridaCommerce has no comment on the proposed amendment.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, FloridaCommerce has enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the County is reminded that:

- Section 163.3184(3)(b), Florida Statutes (F.S.), authorizes other reviewing agencies to provide comments directly to the County. **If the County receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to FloridaCommerce and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be transmitted to FloridaCommerce within ten working days after the final adoption hearing or the amendment shall be deemed withdrawn pursuant to 163.3184(3)(c)2., F.S.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after FloridaCommerce notifies the County that the amendment package is complete or, if challenged, until it is found to be in compliance by FloridaCommerce or the Administration Commission.

If you have any questions concerning this review, please contact Scott Rogers, Regional Planning Administrator, by telephone at (850)-717-8510 or by email via Scott.Rogers@Commerce.fl.gov.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS /sr

Enclosure(s): Procedures for Adoption

cc: Jie Shao, Principal Planner, Charlotte County

Margaret Wuerstle, Executive Director, Southwest Florida Regional Planning Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using FloridaCommerce's electronic amendment submittal portal "**Comprehensive Plan and Amendment Upload**" (<https://fldeo.my.salesforce-sites.com/cp/>) or submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council, Water Management District, Department of Transportation, Department of Environmental Protection, Department of State, the appropriate county (municipal amendments only), the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only), and the Department of Education (amendments relating to public schools), and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package.

_____ Summary description of the adoption package, including any amendments proposed but not adopted.

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date.

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government.

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact.

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required.

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s).

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review.

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment.

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.



An Equal
Opportunity
Employer

Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899

(352) 796-7211 or 1-800-423-1476 (FL only)

WaterMatters.org

Bartow Office

170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Office

78 Sarasota Center Boulevard
Sarasota, Florida 34240-9770
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Office

7601 U.S. 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

Michelle Williamson
Chair, Hillsborough

John Mitten
Vice Chair, Hernando, Marion

Jack Bispham
Secretary, Manatee

Ashley Bell Barnett
Treasurer, Polk

Ed Armstrong
Former Chair, Pinellas

Kelly S. Rice
Former Chair, Citrus, Lake,
Levy, Sumter

Josh Gamblin
DeSoto, Hardee, Highlands

John Hall
Polk

James Holton
Pinellas

Dustin Rowland
Pasco

Robert Stern
Hillsborough

Nancy Watkins
Hillsborough, Pinellas

Brian J. Armstrong, P.G.
Executive Director

April 15, 2025

Ms. Jie Shao, Principal Planner
Charlotte County
Community Development Department
18400 Murdock Circle
Port Charlotte, FL 33948

Subject: **Charlotte 25-2ESR**

Dear Ms. Shao:

The Southwest Florida Water Management District (District) has reviewed the proposed amendment. We are not forwarding any comments for consideration.

We appreciate this opportunity to participate in the review process. If you have any questions or require further assistance, please do not hesitate to contact me at (352) 269-6937 or james.golden@watermatters.org.

Sincerely,

James J. Golden, AICP
Senior Planner

JG
cc: Barbara Powell, DOC

From: [McCaughey, Erica](#)
To: [Shao, Jie](#)
Cc: [McKinney, Jennifer](#); [Suguri, Vitor](#); [El-Agroudy, Mohamed](#); [Nichols, Brittany](#)
Subject: CPA 25-02ESR Charlotte County FDOT Review
Date: Friday, April 25, 2025 4:18:15 PM
Attachments: [Outlook-rbvq2n3k.png](#)

Caution – This email originated from outside of our organization

Please do not open any attachments or click on any links from unknown sources or unexpected email.

[Report Suspicious](#)

Good afternoon Jie,

FDOT has reviewed the transmitted amendment for Charlotte County pursuant to Section 163.3184(3), Florida Statutes. Below is our review.

Technical Assistance Comments:

Text Amendment Comment (Charlotte CPA 25-02)

There is potential need for all available data to be used in planning for new developments as it related to transportation in s. 163.3177(1)(f), F.S.

1. Please amend the CPA text amendment (TCP-24-03) to include the following regarding cumulative impact analysis:

"Prior to approval of any developer agreement or mitigation agreement and permit approval, the applicant will coordinate with the County and FDOT Systems Planning to produce a traffic study accounting for the cumulative impacts of all developments within the Harbor Village master plan. The traffic study will differentiate impacts from individual developments which will be used to identify full mitigation needs and proportionate share fees for each individual development.

As part of the traffic study development, the applicant(s) will coordinate on methodology approval prior to undertaking of the full traffic study. All study assumptions will need to be approved by both the County and FDOT."

Map Amendment Comment:

There is potential for the for the need for elements in comprehensive plan to be consistent to aid in planning for development as it related to transportation in s. 163.3177(2), F.S.

1. This area is listed as Emerging Neighborhood in this Plan, however, an adopted Emerging

Area Plan could not be located in FLU Appendix V where it states" No Adopted Plans at this time", so please make sure to finalize a plan or update the Future Land Use Element to help strategic development of this area and coordination with partners. It is unknown if an Emerging Area can be adopted without going through the Planning Process where appropriate service levels are determined.

To confirm, in FLU Policy 4.4.2, this Plan aims to (b) include a transportation network and land use pattern that encourages walking and bicycling. and (c) supports transit and (d) reduces the number and length of automobile trips. The new Transit Development Plan (2025) calls for expanded service in this area, so please make sure to coordinate when feasible into the 2050 LRTP to allow for prioritization as this area develops.

Thank you for your consideration of these comments and please reach out for any questions.

Erica McCaughey, M.P.A.

Community Planner

Complete Streets Coordinator

Florida Department of Transportation - District 1

10041 Daniels Parkway

Fort Myers, FL 33913

Cell: 863-270-5878





FLORIDA DEPARTMENT OF Environmental Protection

Ron DeSantis
Governor

Alexis A. Lambert
Secretary

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32399

April 25, 2025

Ben Bailey, Community Development Director
Charlotte County Community Development
18400 Murdock Circle
Port Charlotte, FL 33948

Charlotte County 25-02ESR Proposed Comprehensive Plan Amendment Expedited Review

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment in accordance with the provisions of Chapter 163, Florida Statutes (F.S.). The Department's review of the proposed policies focused on important state resources and facilities that would be adversely impacted if the amendment is adopted, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails and conservation easements; solid waste; and water and wastewater treatment; and the Everglades ecosystem restoration.

PROPOSED AMENDMENTS

The proposed amendment includes revisions to the Future Land Use Map (FLUM) series and text of the Charlotte County Comprehensive Plan in relation to the approximately 1,174-acre "Harbor Village" project (formerly known as "West County Town Center"). The amendment site is currently designated Compact Growth Mixed Use on 1,081.75± acres and Preservation on 92.39± acres. The proposed FLUM amendment would reduce the area designated Compact Growth Mixed Use to 1,010.69 ± acres and increase the Preservation designated area onsite to 163.45± acres. The proposed would also amend the County's 2050 Framework Map for the site from Agricultural/Rural to Emerging Neighborhood for 28.01± acres and from Emerging Neighborhood to Agricultural/Rural for 99.13± acres and revise the Urban Service Area boundaries accordingly.

The proposed text amendment to the Future Land Use Appendix VII – Compact Growth Mixed Use Master Development Plan would reduce the maximum residential density from 3,690 to 3,475 units and reduce the nonresidential intensity from 1,509,807 square feet to 1,400,000 square feet and adopt by reference the "Harbor Village Master Land Use Plan/Pattern Book" (Master Land Use Plan). The referenced Master Land Use Plan describes a conceptual development plan which includes a "Wharf Mixed Use" district proposing a public marina component with up to 500 wet and dry boat slips along with commercial retail, restaurants, and potential residential uses. Based on the transmitted review materials, the addition of the public marina and water-based uses will require

excavation in the southern portion of the project area to provide ingress and egress to the Butterford Waterway and the South Gulf Coast canal system.

IMPORTANT STATE RESOURCES

The amendment site is located adjacent to the Charlotte Harbor Preserve State Park and in close proximity to the Gasparilla Sound-Charlotte Harbor Aquatic Preserve. These important state resources, described below, have the potential to be adversely impacted by the development of the proposed Harbor Village project.

Charlotte Harbor Preserve State Park is located in Lee and Charlotte counties. Lands comprising the preserve were acquired primarily for their contribution towards the protection of the Charlotte Harbor estuary, one of the largest and most productive estuaries in Florida. The Charlotte Harbor estuary region supports recreational and commercial fisheries, as well as critical habitat for endangered and threatened species. The preserve is an important buffer for five aquatic preserves: Pine Island Sound, Matlacha Pass, Gasparilla Sound-Charlotte Harbor, Cape Haze and Lemon Bay Aquatic Preserves. Gasparilla Sound-Charlotte Harbor is the largest and most diverse of the five Charlotte Harbor aquatic preserves and contains some of the densest seagrass beds in the complex. By preserving upland habitats surrounding Charlotte Harbor, the preserve helps protect water quality and wildlife habitat, provides residents and visitors with opportunities for boating, fishing, and other resource-based outdoor recreational pursuits, and preserves significant archaeological and historical sites.

DEPARTMENT COMMENTS

While the Department recognizes that the residential density and nonresidential intensity of the site is proposed to be reduced by this amendment, significant impacts to Charlotte Harbor Preserve State Park and Gasparilla Sound-Charlotte Harbor Aquatic Preserve are anticipated based on features of the proposed Master Land Use Plan. Specifically, the addition of a public marina with up to 500 wet and dry boat slips and mixed-use development including commercial retail, restaurants, and residential uses. The proposed marina basin is outside the boundaries of the aquatic preserves, but, if approved, it could have long-term impacts to the adjacent Gasparilla Sound-Charlotte Harbor Aquatic Preserve. Of note, the current ingress and egress to the proposed development is through a narrow canal system with a lock system to allow boat passage, one at a time. The lock was built to keep freshwater from the canal system from flushing into the Harbor.

Anticipated impacts to Charlotte Harbor Preserve State Park and Gasparilla Sound-Charlotte Harbor Aquatic Preserve:

- Currently, in its altered but undeveloped condition, the subject acreage functions as an additional buffer to the Charlotte Harbor Preserve State Park and the Gasparilla Sound-Charlotte Harbor Aquatic Preserve. With the proposed development, this environmental function (i.e. water quality filtration and resource protection) would be markedly reduced.
- Classified as a preserve, broad buffers from urban/suburban development are especially significant to allow for immersive natural aesthetics (regarding the

- visitor experience) and maintaining natural ecological and hydrological regimes (i.e., prescribed fire and sheet flow) within the Charlotte Harbor Preserve.
- Increased discharge of pollution into the canals leading to the South Gulf Cove Lock and subsequently Gasparilla Sound-Charlotte Harbor Aquatic Preserve as well as wetlands of the preserve to the south.
 - Increased marine debris in the estuaries associated with structural damages from storm events.
 - Cumulative impacts causing gradual degradation of sensitive mangroves and seagrasses that extend along the shared perimeter of the Charlotte Harbor Preserve State Park and the Gasparilla Sound-Charlotte Harbor Aquatic Preserve.
 - Interference with the Cattle Dock restoration site (managed under the Department of Transportation) located between the South Gulf Cove Lock and El Jobean Bridge.

CONCLUSION

To mitigate potential adverse impacts to important state resources, the Department recommends the following: enhanced buffering between the proposed development and Charlotte Harbor Preserve, especially along northern boundary of the site; notice of proximity to state conservation lands to members of the proposed community to communicate aspects of management, including fire and hydrology; and further review of the feasibility of the number of boat slips associated with the public marina in this small waterway and lock system. The applicant should coordinate with DEP's South District Office and Southwest Florida Water Management District regarding required permits and authorizations and must ensure compliance with any deed restrictions in effect on parcels within the amendment area.

The Department is providing technical assistance comments consistent with s. 163.3168(3), F.S. The comments will not form the basis of a challenge. If you should require assistance or additional information, please contact me at (850) 717-9037 or Lindsay.Weaver@FloridaDEP.gov.

Sincerely,



Lindsay Weaver, Environmental Specialist II
Office of Intergovernmental Programs

cc: Donna Harris, Florida Department of Commerce